

UNITED STATES DISTRICT COURT

for the

Western District of New York

DETROY LIVINGSTON,

Plaintiff

v.

WALTER B. KELLY, in both his official and
individual capacity, et al.,

Defendant

Civil Action No. 6:99-CV-6169

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the
defendant *(name)* _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus postjudgment interest at the rate of _____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____
_____ recover costs from the plaintiff *(name)* _____
_____ .

X other: The complaint is dismissed.

_____ .

This action was *(check one)*:

☐ tried by a jury with Judge _____ presiding, and the jury has
rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision
was reached.

X decided by Judge David G. Larimer _____ on a motion for summary
judgment.

_____ .

Date: Apr 27, 2010

CLERK OF COURT

s/Michael J. Roemer

Signature of Clerk or Deputy Clerk